



General Assembly

January Session, 2013

## ***Amendment***

LCO No. 8043

**\*SB0107408043SD0\***

Offered by:

SEN. OSTEN, 19<sup>th</sup> Dist.

REP. TERCYAK, 26<sup>th</sup> Dist.

To: Senate Bill No. 1074

File No. 348

Cal. No. 264

### ***"AN ACT CONCERNING WORKERS' COMPENSATION AND LIABILITY FOR HOSPITAL SERVICES."***

1 Strike lines 36 to 59, inclusive, in their entirety and substitute the  
2 following in lieu thereof:

3 "(d) (1) The pecuniary liability of the employer for the medical and  
4 surgical service required by this section shall be limited to the charges  
5 that prevail in the same community or similar communities for similar  
6 treatment of injured persons of a like standard of living when the  
7 similar treatment is paid for by the injured person. [The] Prior to July  
8 1, 2015, or prior to the date the chairman of the Workers'  
9 Compensation Commission establishes a fee schedule setting the  
10 liability of employers for hospital service pursuant to subsection (e) of  
11 this section, whichever is earlier, the liability of the employer for  
12 hospital service shall be (A) the [amount it actually costs] operating  
13 costs incurred by the hospital to render the service, [as determined by  
14 the commissioner] plus (B) the weighted state-wide average of  
15 uncompensated care costs, both of which may be calculated using the

16 ratios reported in the Twelve Month Actual Filing for the most recent  
17 fiscal year prepared by such hospital pursuant to section 19a-676,  
18 which is presumed to be reasonable and correct as applied to the  
19 hospital's pricemaster filed pursuant to section 19a-681, except in the  
20 case of state humane institutions, where the liability of the employer  
21 shall be the per capita cost as determined by the Comptroller under the  
22 provisions of section 17b-223. The employer may negotiate with the  
23 hospital at any time to determine the liability of such employer for  
24 hospital services required by this section. All disputes concerning  
25 liability for hospital services in workers' compensation cases shall be  
26 filed not later than one year from the date that the employer remits the  
27 payment or notifies the hospital of such employer's dispute and shall  
28 be settled by the commissioner in accordance with this chapter.

29 (2) On and after July 1, 2015, or on and after the date the chairman  
30 of the Workers' Compensation Commission establishes a fee schedule  
31 setting the liability of employers for hospital services pursuant to  
32 subsection (e) of this section, whichever is earlier, unless the employer  
33 and the hospital otherwise agree, the liability of the employer for  
34 hospital service shall be limited to the annual fee schedule published  
35 by the Workers' Compensation Commission pursuant to subsection (e)  
36 of this section.

37 (e) Notwithstanding section 19a-646, the chairman of the Workers'  
38 Compensation Commission shall consult with employers and their  
39 insurance carriers, union representatives, hospitals and third-party  
40 reimbursement organizations to establish, not later than July 1, 2015,  
41 and publish annually thereafter, a fee schedule setting the liability of  
42 employers for hospital services required under this section."

43 In line 60, bracket "(e)" and after the closing bracket insert "(f)"